

FARMINGTON CITY COUNCIL MEETING

February 19, 2013

WORK SESSION

Present: Mayor Scott Harbertson, Council Members Cory Ritz, Cindy Roybal, Jim Talbot and Jim Young, City Manager Dave Millheim, Development Director David Petersen, Associate City Planner Christy Alexander, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Council Member John Bilton attended the meeting from 6:35 until 6:45 p.m. and was then excused.

SUMMARY ACTION

1. **Approval of Minutes from February 5, 2013** – There were two amendments to the February 5, 2013 minutes.
2. **Proposed Spring Creek Estates Open Space Conservation Easement** – The Council decided to pull the Spring Creek Estates Conservation Easement from the agenda.
3. **Ratification of the Storm Water Bond Log**
4. **First Supplemental Development Agreement for Park Lane Commons** – **John Bilton** gave his proxy vote to approve the Agreement to **Jim Talbot**. **Cory Ritz** said tabling the item would prolong the agony and not be fair to anyone, and the other Council Members agreed.

Engineering Study

Dave Millheim said staff conducted a survey regarding the City's engineering services and what it would cost to have a full-time engineer. Fees for engineering services since 2010 and comments from other cities in Utah were included in the staff report. The **Mayor** pointed out that the current City Engineer, **Paul Hirst**, plans to retire in the near future, and it would be beneficial for the new engineer to be informed regarding City projects prior to that time. Projects in the future will likely include new storm drain and transportation plans. Staff recommended hiring a full-time engineer and using contract work for any major projects that could not be handled in house, and the Council unanimously agreed to have those costs put into the upcoming budget for consideration.

REGULAR SESSION

Present: Mayor Scott Harbertson, Council Members Cory Ritz, Cindy Roybal, Jim Talbot and Jim Young, City Manager Dave Millheim, Development Director David Petersen, Associate City Planner Christy Alexander, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Council Member John Bilton was excused.

CALL TO ORDER:

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

The invocation was offered by **Jim Talbot** and the Pledge of Allegiance was led by local Boy Scout **Seth Lee** of Troop 1418.

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS:

Executive Summary for Planning Commission meeting held January 10, 2013

The Summary was included in the staff report, and there were no further comments and/or questions.

PUBLIC HEARINGS:

Eastwood Cove Subdivision Schematic Plan (7 lots on 4 acres of property in the LR zone located on the SE corner of Glover Lane and Frontage Road

Christy Alexander said the applicant is Ivory Homes, and this will be a conservation subdivision with an open space provision. Ivory plans to upgrade the City trail which runs along the southern portion of the property in exchange for a waiver of the required .4 acre of open space, and neighbors in the area would like the trees near the trail to be preserved.

Nick Mingo, Ivory Homes (978 E. Woodoak Lane, Salt Lake City) said they prefer large, buildable lots and plan to improve the trail and save as many trees as possible.

Public Hearing opened at 7:15 p.m.

Mark Adams, 27 West Glover Lane, has lived in west Farmington for 30 years, and his property abuts the development. He asked if the City planned to purchase a portion of his property and who would pay for the improvements. He currently has curb and gutter but no sidewalk.

John Percival, 22 West Glover Lane, is concerned about a future sidewalk and who will pay for it. He is on a fixed income and cannot afford to pay for a sidewalk. He is also concerned about precedents the City may have set by purchasing property for trails and sidewalks and said this project appears to have two homes with driveways that back out directly onto Glover Lane. He would like to see continuity from year to year.

Public Hearing closed at 7:25 p.m.

David Petersen said impact fees would pay for the system improvements, and should development occur, the developer would be required to pay for his share. There was discussion regarding the flood plain, open space, density, and trail improvements.

Motion:

Cory Ritz made a motion to approve the Schematic Plan for the Eastwood Cove Subdivision with the understanding that the trail, waiver of open space, and preservation of the trees issues be reviewed along with the Preliminary Plat. **Jim Talbot** seconded the motion which was approved by Council Members **Ritz, Roybal, Talbot** and **Young**.

PRESENTATION OF PETITIONS AND REQUESTS:

Consideration of Final Plat and Development Agreement approval for the Farmington Creek Estates Phase 4 PUD Subdivision

Christy Alexander said this is the final phase of this Subdivision, and there will be 7 lots on 3.65 acres of property. The developer will be required to pave 27 feet of asphalt with 11 feet of road base (the City will reimburse him for the road base portion). Staff has worked out the drainage issues with neighbors on the east of this property.

Motion:

Cory Ritz made a motion to approve the Final Plat and Development Agreement for the Farmington Creek Estates Phase 4 PUD Subdivision (7 lots) located at approximately 1100 West and Country Lane, subject to the conditions and findings approved by the Planning Commission. The motion was seconded by **Cindy Roybal** and approved by Council Members **Ritz, Roybal, Talbot** and **Young**.

Continuation of Farmington Creek Estates Phase 1 Subdivision Plat Amendment

Motion:

Jim Young made a motion to approve the Ordinance and Vacation Order amending the Farmington Creek Estates Subdivision Phase 1 by vacating all of the 15-foot wide public horse path, the 15-foot wide Public Utilities Easement running east/west to the south of the creek, and the park Parcel A whereby a subdivision plat may be created in the stead thereof, subject to the two conditions and three findings included in the staff report. The motion was seconded by **Cory Ritz** and approved by Council Members **Ritz, Roybal, Talbot** and **Young**.

Interlocal Cooperation Agreement for Construction of a Public Trail System along the Denver and Rio Grande Railroad right-of-way

The **Mayor** asked if there were any comments or questions. **Jim Talbot** asked how the funds would be handled, and **Dave Millheim** said the other two entities will pay their portion of the funds to Farmington at which time the payment will be submitted. There will be one more action item in March—a use agreement between UTA and the City.

Motion:

Jim Talbot made a motion to authorize the **Mayor** to execute the Interlocal Cooperation Agreement between Farmington, Centerville, and Davis County for construction of the last portion of a public trail system along the D&RG Railroad right-of-way. **Cindy**

Roybal seconded the motion which was approved by Council Members **Ritz, Roybal, Talbot** and **Young**.

SUMMARY ACTION

- 1. Approval of Minutes from February 5, 2013**
- 2. Proposed Spring Creek Estates Open Space Conservation Easement**
- 3. Ratification of Storm Water Bond Log**
- 4. First Supplemental Development Agreement for Park Lane Commons**

Motion:

Cory Ritz made a motion to pull Item #2 from the List to allow additional time for the clarification of several details and to approve Items #1, #3 and #4. **Jim Talbot** seconded the motion which was approved by Council Members **Ritz, Roybal, Talbot** and **Young**, and **Jim Talbot** represented **John Bilton** who gave him his proxy to vote yes on the three items.

NEW BUSINESS:

Long Range Fire Department Staffing

Guido Smith presented several options for increasing the Fire Department staff during the Fiscal Year 2014. He recommended hiring 2 full-time captains, 3 full-time engineers, maintaining 2 part-time staff positions per shift, and reducing part-time personnel from 32 to 25. **Jim Talbot** said he thought the Council agreed to hire one additional full-time staff member this year and consider additional staffing the following year. He expressed concern about the timing of hiring 2 full-time captains this year. The Mayor and other Council Members agreed that the timing is not right and gave approval to hire one additional full-time staff member.

Motion:

Jim Talbot made a motion to authorize **Chief Smith** to begin the process of hiring an additional full-time captain and to review the issue again during the budgetary process. The motion was seconded by **Jim Young** and approved by Council Members **Ritz, Roybal, Talbot** and **Young**.

GOVERNING BODY REPORTS:

City Manager – Dave Millheim

- The list of upcoming agenda items, and the January Police, Fire and Building Activity Reports were included in the staff report.
- Staff has proposed an education program for the Planning Commission and the City Council to learn about the City's form based zoning. The proposed schedule was included in the staff report.

- The Trails Committee would like to print and send 6000 copies of the Master Trails Map with the utility bill. There was discussion regarding the fact that residents may discard the maps, but the Council approved the request.
- He recently received a revised proposal from Doug McDonald regarding the sales tax, but he did not like the proposal and said it is fraught with problems. He recommended that the City open the bidding to other consultants who can provide the same service.
- On Sunday night a Farmington City police officer received a call from a resident who saw their neighbor's garage door open. The officer attempted to alert the homeowner who became upset, called the media and the ACLU, and said it was an invasion of their privacy. The story was broadcast on Channel 13 Monday night.
- There is a bill in the State Legislature (SB33) which could cause between \$40,000 and \$200,000 in lost sales tax revenue to Farmington. Other cities opposing the Bill include Alta, Fruit Heights, Park City, and Brian Head. The sales tax from admissions to amusement parks and ski resorts would be removed under certain conditions. The Bill is very vague, and the League is opposing it. He advised the Council to make a formal statement against the bill.

Motion:

Jim Young made a motion for Farmington to take a position of opposition to SB33 as long as it affects the City in a negative way. **Cory Ritz** seconded the motion which was approved by Council Members **Ritz, Roybal, Talbot** and **Young**.

Mayor – Scott Harbertson

- Developer **Dade Rose** asked him and the City Council to take a field trip to see his proposal for development on property located behind the Chevron station. **Jim Talbot** said the developer needs to rework his site plan.
- He and **Jim Talbot** will attend the town hall meeting on Wednesday, February 20th.
- There is an issue regarding the Legacy Trail between North Salt Lake and Farmington. Many races have been sponsored on the Trail, and in 2012 there was an accident that has created a lot of concern about liability. One proposal is to have the Bountiful Recreation Center handle the scheduling and responsibility.
- He announced to the Council that he will probably not seek another term as Mayor.

City Council

Cindy Roybal:

- She asked if the City planned to pick up Christmas trees, and the City Manager said they will be picked up on Saturday, February 23rd or during spring cleanup.

- A resident complained about a home across the street which is occupied by two families. The area is not zoned for duplexes. The City Manager said the resident should file a formal complaint because the City will not respond to anonymous complaints.
- She would like to shore up the City's sign ordinance to avoid having too many signs.

Motion:

Cindy Roybal made a motion to direct staff to look at recommended changes to the mixed use zones that would prevent the proliferation of oversized signs along the frontage or areas abutting the freeways. **Jim Young** seconded the motion which was approved by Council Members **Ritz, Roybal, Talbot** and **Young**.

Cory Ritz:

- A resident in Chestnut Farms complained about the City's snow removal efforts—when a City plow finally showed up, it was a mid-size truck with a broken salter. There was discussion about the City's enforcement of snow removal enforcement, and **Dave Millheim** said he would ask staff to rewrite the letter and have it approved by the Council.

CLOSED SESSION

Motion:

At 9:40 p.m. **Cory Ritz** made a motion to go into a closed session to discuss the competency of an individual, the acquisition of real property and potential litigation. The motion was seconded by **Jim Talbot** and approved by Council Members **Ritz, Roybal, Talbot** and **Young**.

Sworn Statement

I, **Scott C. Harbertson**, Mayor of Farmington City, do hereby affirm that the items discussed in the closed session were as stated in the motion and that no other business was conducted while the Council was so convened in a closed session.



Scott C. Harbertson, Mayor


Motion:

At 10:55 p.m. **Cory Ritz** made a motion to reconvene into an open meeting. **Jim Young** seconded the motion which was approved by Council Members **Ritz, Roybal, Talbot** and **Young**.

ADJOURNMENT

Motion:

Jim Talbot made a motion to adjourn the meeting. The motion was seconded by **Cindy Roybal** and approved by Council Members **Ritz, Roybal, Talbot** and **Young**, and the meeting was adjourned at 10:55 p.m.



Holly Gadd, City Recorder
Farmington City Corporation